
Local Government & Housing Committee

HB 1488

Brief Description: Restricting the release of persons from state institutions.

Sponsors: Representatives Miloscia, Sullivan, Goodman, Ormsby and Blake.

Brief Summary of Bill

- Provides an emergency clause.
- Requires department of corrections to monitor former offenders' housing status upon release, and submit a plan to the Legislature to eliminate homelessness among former offenders.
- Requires the same actions of the Department of Social and Health Services with regards to youth released from foster care, and patients released from psychiatric institutions.
- Requires a regional support network, within the patient tracking system, to track the housing status of patients receiving care from regional support networks.

Hearing Date: 2/5/09

Staff: Sara del Moral (786-7291); Thamas Osborn (786-7129)

Background:

Individual Reentry Plans.

For each inmate committed under its jurisdiction, the Department of Corrections (DOC) is required to develop an Individual Reentry Plan (IRP) for the period of incarceration through the inmate's release. The plan specifies programming for the offender during incarceration, as well as a plan for the offender to follow upon release that addresses:

- public safety concerns;
- connection to a community justice center;

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- housing, employment, education, and treatment needs;
- family reunification, and
- other issues needed to facilitate successful reintegration into the community.

The initial IRP is created following the initial assessment an offender receives within 45 days of entering a DOC facility. The plan is updated during the incarceration period.

Offenders' Financial Obligations.

Counties and the state are authorized to recover costs for inmate incarceration under limited circumstances. However, other legal financial obligations may take precedence. Courts may also require any inmate sentenced to a city or county jail, with the means to pay, to compensate the locality for his or her incarceration.

Independent Youth Housing Program.

The Department of Community, Trade and Economic Development's (DCTED) Independent Youth Housing Program (program) provides housing stipends and case management services to youth, ages 18 to 23, who have exited the state dependency system. The state has set the following goals:

- ensure that all youth exiting the state dependency system have a decent, appropriate, and affordable home in a healthy, safe environment to prevent these youth from experiencing homelessness; and
- reduce each year the percentage of young people eligible for state assistance upon exiting the state dependency system.

The DSHS collaborates with the DCTED to provide information about the program to dependent youth and to refer dependent youth nearing the age of 18 to the program. The DSHS also provides information to the DCTED regarding the number of youth exiting the state dependency system eligible for state assistance and annually recommends strategies to the Legislature that may help reduce this number.

Parole Programs for Juveniles.

If a juvenile is committed to a sentence at a Juvenile Rehabilitation Administration facility, he or she may be placed under parole supervision upon release from the facility. The DSHS oversees individual parole programs for such juveniles.

Assistance to Recently Released Psychiatric Patients.

State law specifies that a person may be taken into custody for an involuntary 72-hour evaluation and treatment period for a mental disorder. The person may be detained if he or she presents a likelihood of serious harm to himself/herself or others, or to the property of others, or if he or she is gravely disabled.

If such a patient is indigent or lacking suitable clothing, state law requires a state hospital to provide the person with clothing and a sum of money deemed necessary for the patient's immediate welfare.

Regional Support Networks.

Publicly funded mental health services for adults are provided by the state and local entities. Currently, the state provides long-term care at two psychiatric hospitals. There are fourteen regional support networks (RSNs) that provide outpatient and short-term care. Each RSN has the following duties:

- contract with licensed service providers as needed;
- operate as a licensed service provider if it deems it more efficient than contracting;
- monitor and perform biennial fiscal audits of licensed service providers contracting with the RSN;
- assure that the special needs of minorities, the elderly, persons with disabilities, children, and low-income persons are met within the priorities established under state law;
- collaborate to ensure that policies do not result in an adverse shift of persons with mental illnesses into state and local correctional facilities;
- work with the DSHS to expedite the enrollment or re-enrollment of eligible persons leaving state or local correctional facilities and institutions for mental diseases;
- coordinate services for individuals who have received services through the community mental health system and who become patients at a state mental hospital to ensure they are transitioned into the community in accordance with mutually agreed upon discharge plans.

Summary of Bill:

Department of Corrections:

Planning Requirement.

By September 1, 2009, the Department of Corrections (DOC) is required to submit to the legislature a plan by which the DOC proposes to eliminate the discharge of offenders from custody into homelessness. The plan must:

- specifically identify the resources necessary and actions required to eliminate the discharge of any offender into homelessness by 2011; and
- include performance measures to gauge the effectiveness of the plan in increasing the percentage of released offenders who secure and retain stable housing and decreasing the percentage of released offenders who enter homelessness.

Existing department plans may be used to partially fulfill the planning requirement, but must be updated with implementation strategies to meet this new goal.

Individual Reentry Plans.

New requirements are added regarding individual reentry plans:

- The plan must address an offender's need for housing;
- The DOC must record the address of the confirmed housing situation arranged for an offender pending the offender's release from custody; and
- While actively supervising any former offender, the DOC must maintain a record of the former offender's housing status.

Department of Social and Health Services:

Planning Requirement.

Not later than September 1, 2009, the Department of Social and Health Services (DSHS) is required to submit to the legislature a plan by which the DSHS proposes to eliminate the discharge into homelessness of:

- youth aging out of the foster care system; and
- chronically mentally ill persons being released from involuntary psychiatric commitment.

The plan must:

- specifically identify the resources necessary and actions required to eliminate the discharge of such youth and adults into homelessness by 2011;
- include performance measures to gauge the effectiveness of the plan in increasing the percentage of released persons who secure and retain stable housing and decreasing the percentage of released persons who enter homelessness; and
- address the housing needs of chronically mentally ill persons receiving ongoing mental health care from regional support networks.

Plans already developed by the DSHS may be used to partially fulfill the planning requirement, but must be updated with implementation strategies to meet this new goal.

Annual Reporting.

The DSHS must annually provide the Department of Community, Trade and Economic Development with the number of youth aging out of the state dependency system who do not have stable affordable housing.

Release of Juvenile Offenders.

Prior to release of a juvenile offender, the DSHS must record the address of the confirmed housing situation arranged for the juvenile pending the juvenile's release. DSHS must track the housing status of a juvenile parolee for the duration of the juvenile's supervision.

Release of Indigent Patients from Mental Hospitals.

The DSHS must record the housing status of indigent patients when they are discharged from a state hospital.

County Clerks.

The county clerk is authorized and required to maintain a record of the current housing status and current address of each offender under the jurisdiction of the court for purposes of his or her financial obligations, and must provide this information to the DOC upon request.

Regional Support Networks.

Regional support networks must track the housing status of patients receiving care.

Appropriation: None.

Fiscal Note: Requested February 3, 2009.

Effective Date: The bill contains an emergency clause and takes effect immediately.